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ATTORNEY DOCKET  
067439.0155

PATENT APPLICATION  
10/750,705

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip S. Siegel

Serial No.:

10/750,705

Filing Date:

January 2, 2004

Confirmation No.:

3801

Title:

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Jay Howard

July 23, 2004

Date

**MAIL STOP - PETITIONS**

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

**PETITION UNDER 37 CFR 1.53(b)**

On July 13, 2004, the United States Patent and Trademark Office ("USPTO") mailed a Notice of Incomplete Nonprovisional Application, indicating that the patent application referenced above was deposited without drawings. Applicant respectfully submits that formal drawings were submitted with the above-referenced application, and respectfully submits herewith the following:

1. copy of the Notice of Incomplete Nonprovisional Application mailed July 13, 2004;
2. copy of the formal drawings as filed with the above-referenced application;
3. copy of the Certificate of Mailing mailed on January 2, 2004;
4. copy of the Express Mail receipt date stamped January 2, 2004 by the U.S.

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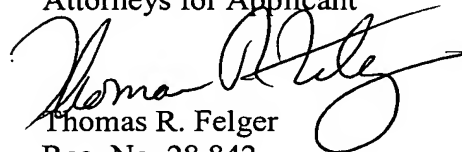
5. copy of the postcard date stamped by the U.S. Patent and Trademark Office evidencing its receipt of 4 pages of formal drawings on January 2, 2004.

CONCLUSION

Applicant respectfully requests the granting of this petition, and that a filing date of January 2, 2004 be afforded.

Applicant attaches a check in the amount of \$130.00, pursuant to 37 CFR 1.53(e) and 37 CFR 1.17(i) but requests reimbursement in full of this amount if it is determined that the enclosures resolve the issues noted in the Notice of Incomplete Nonprovisional Application mailed July 13, 2004. The Commissioner is hereby authorized to charge any additional amount due or credit any overpayment to Account No. 02-0384 of Baker Botts L.L.P. deemed necessary to effectuate this filing.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicant

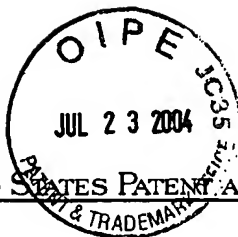
  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/750,705	01/02/2004	Philip S. Siegel	067439.0155

CONFIRMATION NO. 3801

## FORMALITIES LETTER



\*OC000000013216006\*

31625

BAKER BOTTS L.L.P.

PATENT DEPARTMENT

98 SAN JACINTO BLVD., SUITE 1300

AUSTIN, TX 78701-4039

Decketed 7-20-04 Attorney TRF  
 Docket No. 067439.0155  
 Due Date: 9-13-04  
 Action: Incomplete app.

Date Mailed: 07/13/2004

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

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*A copy of this notice **MUST** be returned with the reply.*

*John Ware*

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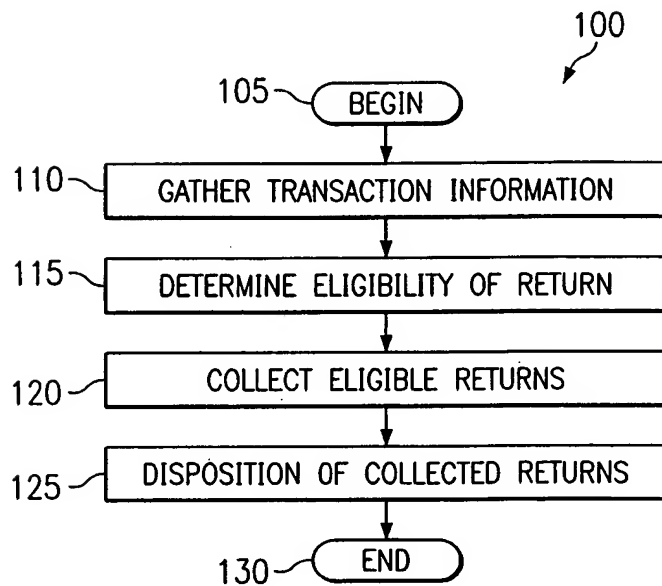


FIG. 1

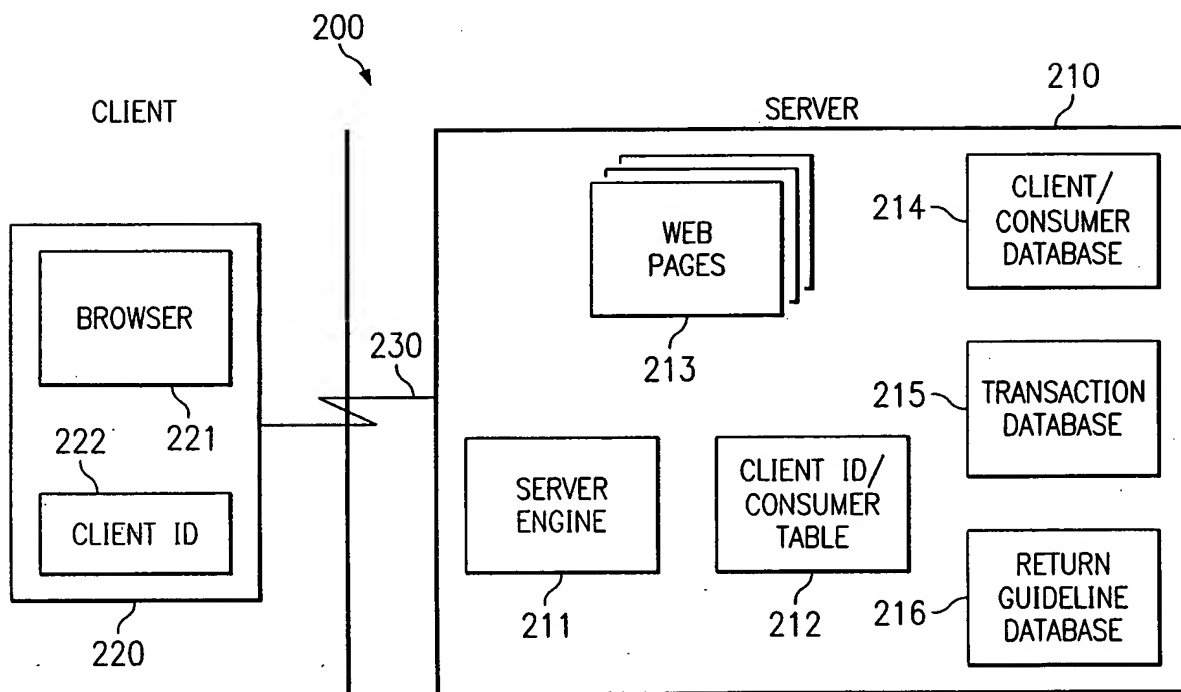


FIG. 2

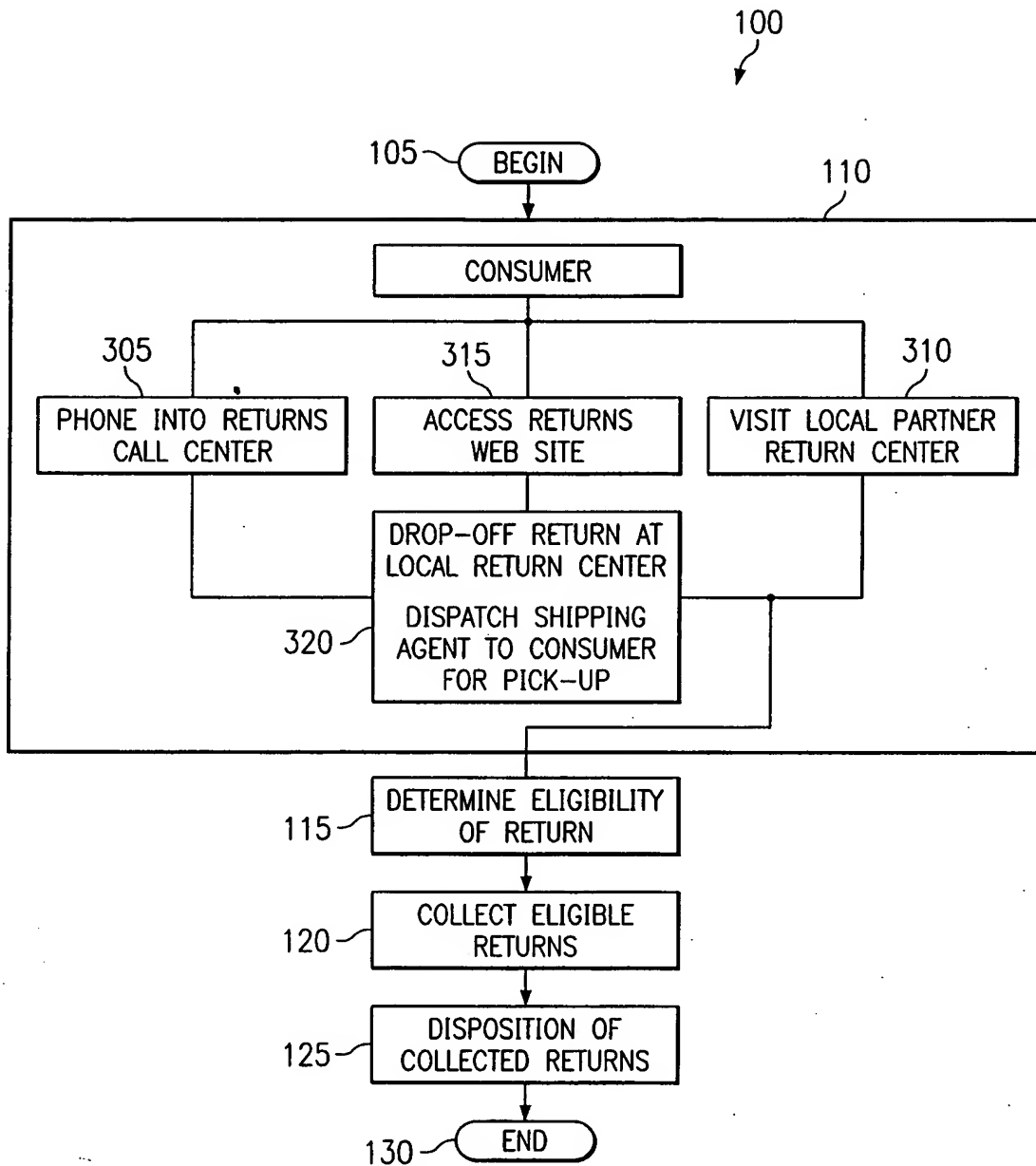


FIG. 3

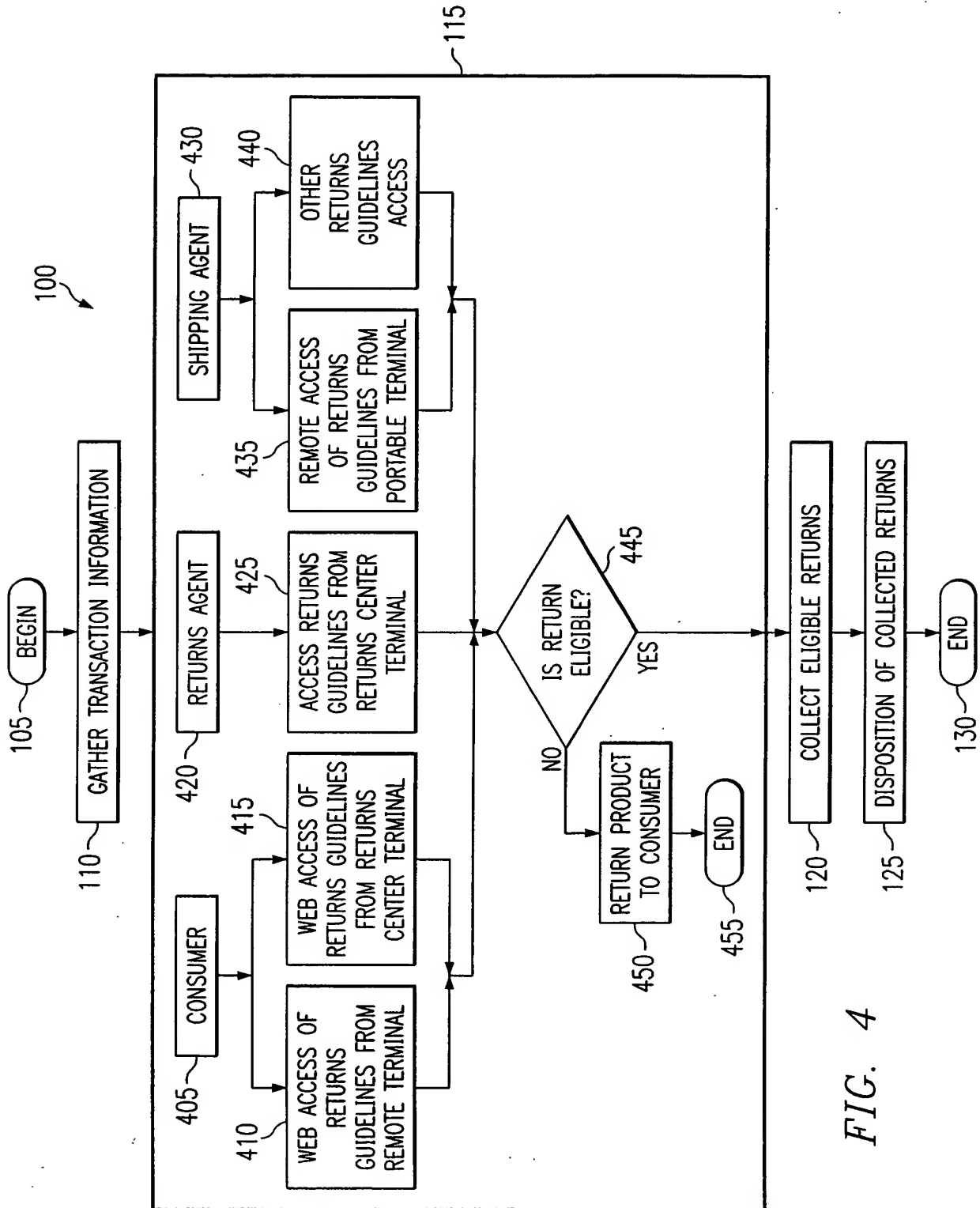


FIG. 4



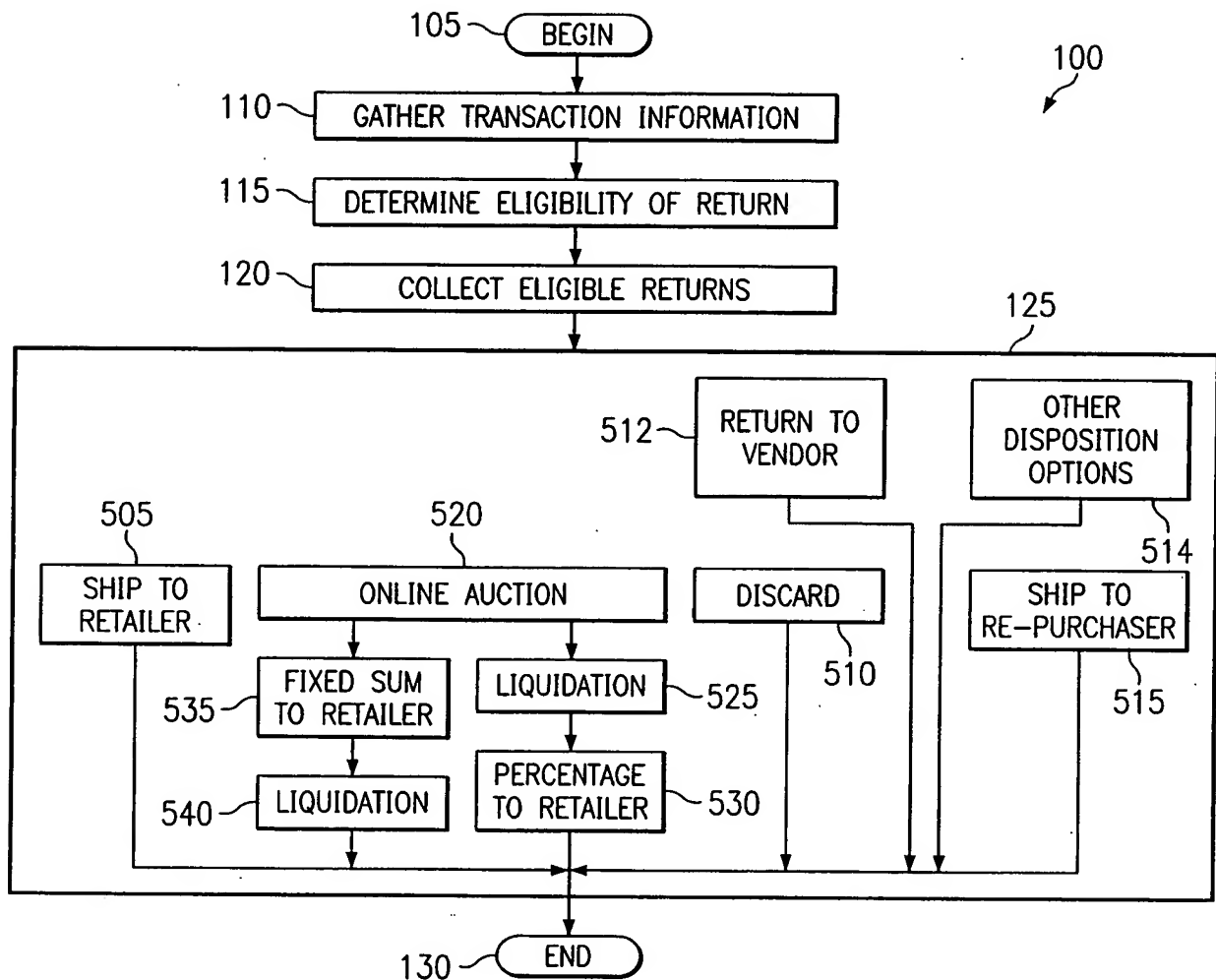


FIG. 5



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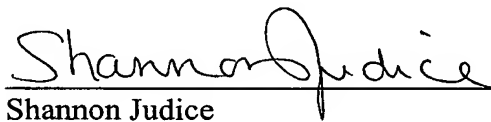
In re application of: Philip S. Siegel  
Filed: January 2, 2004  
Title: Return Centers with Rules-Based Dispositioning  
of Merchandise

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Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Continuation Transmittal, Continuation Patent Application, copy of the Declaration and Power of Attorney originally filed in the parent Application Serial No. 09/796,337, an Association of Customer Number document, Formal Drawings, check in the amount of \$824.00 for the filing fee and postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on this 2nd day of January, 2004, and is addressed to the Honorable Assistant Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
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067439.0155

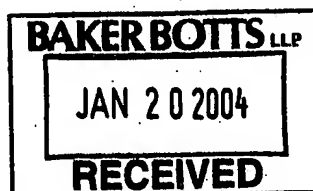
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Inventor(s): Philip S. Siegel	Serial No.:	Receipt Date & Serial No.: 
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Client/Applicant: Newgistics	BB File No.: 067439.0155	
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